

**UNITED STATES DISTRICT COURT  
For the  
DISTRICT OF NEBRASKA**

**ARTHUR and HEIDI  
TOUSIGNANT,**

**Plaintiffs,**

**vs.**

**3W FARMS, LLC,**

**Defendant.**

**No. 4:21-cv-3069**

**PETITION AT LAW  
and  
JURY DEMAND**

***Plaintiff states:***

1. Plaintiffs Art Tousignant (“Art”) and Heidi Tousignant (“Heidi”) are individuals, and residents of Henry County, Iowa.
2. Defendant 3W Farms, LLC (“3W”) is a Nebraska corporation doing business in Phelps County, Nebraska.
3. The parties have diversity of citizenship, and the matter in controversy exceeds the jurisdictional amount set forth by 28 U.S. Code § 1332 (a).
4. On July 19, 2019, a motorcycle driven by Art, with Heidi as passenger, crashed on a roadway (“728 Road”) in Phelps County, Nebraska.
5. 728 Road had been made dangerous from the irrigation of a field (“the field”) adjacent to it.
6. The field was owned by 3W at the time of the Tousignant crash.
7. 3W owned or leased the irrigation equipment that caused 728 Road to become dangerous.
8. Employees or agents of 3W operated the irrigation equipment that caused 728 Road to become dangerous.

9. 3W was negligent for allowing water from the irrigation of the field to cause 728 Road to become dangerous.
10. The negligence of 3W caused past and future damage to the Tousignants, including but not limited to property damage, and past and future loss of income/earning capacity, medical expenses, pain and suffering, and physical impairment.

***FOR THESE REASONS, Plaintiffs*** ask that judgment be entered against Defendant in an amount reasonably calculated to compensate for damages, plus interest and costs.

**DEMAND FOR JURY TRIAL**

Plaintiffs demand a jury trial.

The Biker Lawyers, PC

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Original filed

Copy: To be served on Defendant with Summons